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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 DONALD J. TORMEY, on behalf of
12 himself, and all others similarly situated,
and on behalf of the general public,

13 Plaintiffs,

14 vs.

15 THE VONS COMPANIES, INC., a
Michigan Corporation; SAFEWAY, INC.,
16 a Delaware Corporation and DOES 1
through 100,

17 Defendants.
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CASE NO. 07cv1587-LA (RBB)

**ORDER AMENDING ORDER OF
REMAND**

19 On September 5, 2007, the Court issued an order remanding this case to the
20 California state court from which it was removed. The Court now amends that order to clarify
21 the identities of the parties. The procedural history section of the order, from 1:19 to 2:3, is
22 hereby **AMENDED** to read as follows:

23 On June 29, 2007, Plaintiff Tormey filed this putative class action in
24 the Superior Court of California, County of San Diego. Defendants then on
25 August 10, 2007 removed the action to this Court, representing that the
26 provisions of the Removal Statute, 28 U.S.C. § 1446, were met. Defendants
27 contended this Court had federal question jurisdiction because some of
Plaintiff's claims were completely preempted by Section 301 of the Labor
Management Relations Act, 29 U.S.C. § 185(a) ("Section 301"). Defendants
also asked the Court to exercise supplemental jurisdiction over other related
state claims.

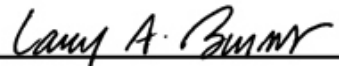
28 Because the Court's jurisdiction was not clear, the Court on August
15, 2007 *sua sponte* issued an order to show cause requiring Defendants to
show cause why this action should not be remanded. On August 22, 2007,

1 Defendants responded and, on August 29, Plaintiff replied to Defendants'
2 response. Defendants' response identifies federal question jurisdiction, and
3 supplemental jurisdiction, as the sole bases for this Court's exercise of
jurisdiction over this action.

4 The Court's order remains otherwise unchanged.

5 **IT IS SO ORDERED.**

6 DATED: September 14, 2007

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8 **HONORABLE LARRY ALAN BURNS**
9 United States District Judge